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Attorneys for Defendant
WELLS FARGO BANK, N.A.

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION**

ALICIA HERNANDEZ, et al., individually and on behalf of all others similarly situated,

No. 3:18-cv-07354 WHA

Plaintiffs,
v.

**NOTICE OF MOTION AND MOTION
FOR ATTORNEYS' FEES FOLLOWING
ORDER RE SAME IN CONNECTION
WITH RE-BRIEFING PLAINTIFFS'
SECOND MOTION FOR CLASS
CERTIFICATION**

WELLS FARGO BANK, N.A.,

Defendant.

Date: April 2, 2020

Time: 8:00 a.m.

Courtroom: 12

Judge: Hon. William H. Alsup

NOTICE OF MOTION

TO ALL PARTIES AND THEIR ATTORNEYS OF RECORD:

PLEASE TAKE NOTICE THAT on April 2, 2020, or as soon thereafter as the matter may be heard, in Courtroom 12 of the above-entitled court, located at 450 Golden Gate Avenue, San Francisco, California, Defendant Wells Fargo Bank, N.A. (“Wells Fargo”) will and hereby does move, pursuant to this Court’s November 6, 2020 Order on Plaintiffs’ second motion for class certification, for reimbursement of attorneys’ fees incurred in connection with re-briefing Plaintiffs’ second motion for class certification and two revised trial plans.

This Motion is based upon this Notice of Motion and Motion, the Declaration of Amanda L. Groves, the record in this action, and any other written or oral submission that may be presented at or before the hearing on this motion.

Dated: February 19, 2020

Respectfully submitted,

WINSTON & STRAWN LLP

By: /s/ Amanda L. Groves
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MOTION

Plaintiffs filed their first motion for class certification on August 29, 2019. Oral argument was held on November 6, 2019, and this Court deemed Plaintiffs' briefing of their class certification motion to be "deficient" and ordered them to file a more "professional" motion for certification. *See Exhibit A.* The Court further ordered Plaintiffs to pay Wells Fargo the costs associated with having to re-brief its opposition to Plaintiffs' new motion for certification and two revised trial plans. *See id.* Per the terms of the Order, \$10,000 was to be paid (and was paid) by Plaintiffs before they filed their new motion for class certification, with the remaining costs associated to be paid at a later date. *Id.*

Wells Fargo has paid in excess of \$120,000 in connection with briefing Plaintiffs' second motion for class certification and two revised trial plans, and in excess of \$50,000 in preparing for and attending the second class certification hearing. Of that amount, Wells Fargo seeks reimbursement of \$110,000 it incurred in connection with the briefing itself, as set forth in more detail in the Declaration below.

Wells Fargo respectfully requests the Court enter an order directing Plaintiffs to pay, within two weeks of the Court's Order on this Motion, a total of \$110,000 (*i.e.*, \$120,000 with credit for the \$10,000 already paid).

Dated: February 19, 2020

Respectfully submitted,

WINSTON & STRAWN LLP

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